

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Axion Power International Inc. et al.

Plaintiff,

-v-

Mercatus & Partners, Ltd., et al.

Defendant.

Case No. 07-CV-11493

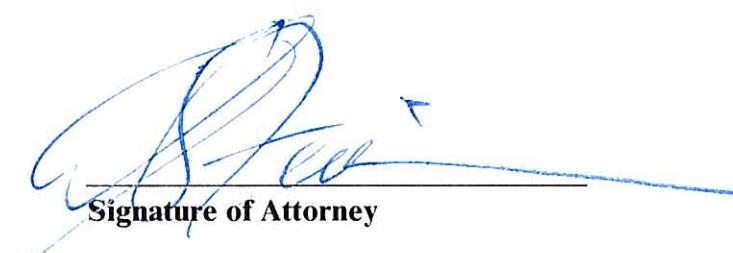
Rule 7.1 Statement

Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Axion Power International, Inc. (a private non-governmental party)

certifies that the following are corporate parents, affiliates and/or subsidiaries of said party, which are publicly held.

Axion Power International, Inc. is a public held company and has no corporate parents, affiliates and/or subsidiaries which are publicly held.

Date: December 20, 2007


Signature of Attorney

Attorney Bar Code: AF1401